

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA:

V. Case No. 1:20-MJ-312

Matthew Erausquin :

Motion for Brady Materials

Counsel's appearance for Mr. Erausquin for purposes of detention hearing and preliminary hearing has now been formally entered in this district. The undersigned appeared via zoom along with Christopher Amolsch in the Southern District of Florida in November and we anticipate representing Mr. Erausquin throughout all proceedings. We did not conduct a detention hearing in that district and requested any hearing be held in Alexandria. Mr. Erausquin has been waiting for transfer.

The Court in the Southern District has already ordered the production of *Brady* materials. According to the docket entries from the Southern District of Florida, the Court ordered all *Brady* materials be produced in a timely manner back on November 19, 2020.

Though this Order certainly is the law of the case, out of an abundance of caution, counsel is requesting all *Brady* materials be produced forthwith and certainly in a timely manner so counsel can utilize these materials at the

preliminary hearing/detention hearing. From the initial review of this case and the criminal complaint, it appears there are significant *Brady* issues in this case. Counsel requests all such materials be produced separately and not in a mass of discovery. The material includes but is not limited to misrepresentations, lies, false statements, fake profiles, threats, credibility issues, inconsistent statements and any other exculpatory material relevant to impeachment and credibility of the complaining witnesses and the government's allegations.. These issues and disclosures are all relevant to probable cause, pretrial release determinations, trial, and any mitigation. Counsel may file a more comprehensive motion but given the recent codification of *Brady* and the order entered in the instant case, counsel requests *Brady* be produced immediately and separately so counsel can be adequately prepared once Mr. Erausquin appears in this district.

Matthew Erausquin
By Counsel

_____/s_____
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Certificate

I hereby certify this pleading was filed with the Court's Electronic Filing System, which system will send a copy to the United States Attorney, 2100 Jamieson Avenue, Alexandria, Virginia on this 26th day of December, 2020.

_____/s_____

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